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ROBERT RUNDO

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT RUNDO,

Defendant.

Case No. CR 18-759-CJC-1

**DEFENDANT ROBERT RUNDO'S
EX PARTE APPLICATION FOR AN
ORDER UNSEALING MINUTES,
AUDIO, AND TRANSCRIPT FOR
PURPOSES OF APPEAL;
DECLARATION OF COUNSEL**

1 Defendant Robert Rundo, by and through his attorneys of record, Deputy Federal
2 Public Defenders Julia Deixler and Erin M. Murphy, hereby applies *ex parte* for an
3 order unsealing the minutes, audio recording, and transcript of the audio proceedings
4 from the February 22, 2024 hearing before the Honorable Steve Kim, United States
5 Magistrate Judge. The audio file has already been provided to counsel.

6 The government does not oppose this application.

7
8 Respectfully submitted,

9 CUAUHTEMOC ORTEGA
10 Federal Public Defender

11 DATED: February 23, 2024

By /s/ Erin M. Murphy

12 ERIN M. MURPHY
13 JULIA DEIXLER
14 Deputy Federal Public Defenders
15 Attorneys for ROBERT RUNDO
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DECLARATION OF ERIN M. MURPHY

I, Erin M. Murphy, declare:

1. I am an attorney at the Office of the Federal Public Defender in the Central District of California appointed to represent defendant Robert Rundo in *United States v. Robert Rundo, et al.*, 18-CR-759-CJC. I submit this declaration in support of unsealing the minutes, audio, and transcript of the arrest warrant hearing on February 22, 2024, for the purposes of appeal.

2. In making arrangements to order a transcript of a court-recorded hearing before Judge Kim on February 22, 2024, and based on the sealed minutes of the hearing I received this morning, I was made aware that the proceedings were sealed. Defense counsel is already in receipt of the audio file of this hearing and has provided that file to the government. Defense counsel referenced the proceedings in a status report filed in the Ninth Circuit last night.

3. In order to have a transcript of these proceedings prepared for the ongoing appeal in this matter and as to not disrupt any current pending questions before the Ninth Circuit, I am requesting the Court allow unseal the minutes, audio, and transcript from the arrest warrant hearing.

4. On February 23, 2024, I notified Assistant United States Attorney Bram Alden, who represents the government in this case, of this request. Mr. Alden does not oppose the unsealing of these proceedings.

5. A proposed order is concurrently filed herewith.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on February 23, 2024, at Los Angeles, California.

/s/ Erin M. Murphy

ERIN MURPHY

Deputy Federal Public Defender